

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MERRILL LYNCH BUSINESS FINANCIAL
SERVICES INC.,

Plaintiff,

-against-

J.S. SUAREZ, INC., RAMONA SUAREZ, MATTHEW
SUAREZ, and "JOHN DOE #1" THROUGH
"JOHN DOE #12 the last twelve names being fictitious
and unknown To plaintiff, being persons having or
claiming an interest in or lien upon the chattel described
in the complaint,

Defendants.
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07 CV ____ (____)

ORDER TO SHOW CAUSE

Upon the Declaration of Daniel J. Downs, sworn to October 31, 2007, it is

ORDERED, that defendant J.S. Suarez, Inc. or its attorney show cause before this Court,
at Room __, United States Courthouse, 500 Pearl Street, New York, NY 10007, on the __ day of
_____, 2007, at _____ a.m./p.m., or as soon thereafter as counsel may be heard, why (a) an
order of seizure should not be issued herein, pursuant to FRCP Rule 64 and NY CPLR § 7102,
directing the Sheriff, or a US Marshall, to seize the Collateral, as defined and described in the
aforesaid declaration, to wit, accounts, chattel paper, contract rights, inventory, equipment, deposit
accounts, documents, instruments, investment property and financial assets, wherever located, and
all the proceeds thereof of J.S. Suarez, Inc., and (b) an order should not be issued herein, pursuant
to FRCP Rule 26(d) and NY CPLR § 7112, scheduling the deposition of one of J.S. Suarez, Inc.'s
principals, Ramona Suarez or Matthew Suarez, for the purpose of determining the whereabouts of
the Collateral; and it is further,

ORDERED, that service of a copy of this order, and all supporting papers thereof, be served, on or before the ___ day of November 2007, shall be deemed good and sufficient notice hereof.

Dated: New York, New York
November __, 2007

United States District Judge